

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Chi K. Ting
Debtor(s)

Bankruptcy Case No.: 17-10451-TPA
Per March 13, 2018 proceeding
Chapter: 13
Docket No.: 37 – 13, 34
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated May 30, 2017 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$2115 as of March 2018. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Nationstar Mortgage (Claim No. 6); PA Rev (Claim No. 3) .
- ☒ H. Additional Terms: Crawford County TCB (Claim No. 13) to be paid per the plan for tax years 2014, 2015 and 2016.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

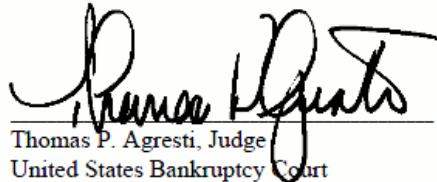
B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Thomas P. Agresti, Judge
United States Bankruptcy Court

Dated: March 15, 2018

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Chi K. Ting
 Debtor

Case No. 17-10451-TPA
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1

User: lmar
 Form ID: 149

Page 1 of 2
 Total Noticed: 37

Date Rcvd: Mar 15, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 17, 2018.

db
 14416299 +Chi K. Ting, 17369 Kevin Drive, Meadville, PA 16335-6267
 14416300 #+Bank Of America, Nc4-105-03-14, Po Box 26012, Greensboro, NC 27420-6012
 14416301 +Barclays Bank Delaware, Po Box 8803, Wilmington, DE 19899-8803
 14416303 +Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
 14416304 +Chase Card, Attn: Correspondence Dept, Po Box 15298, Wilmington, DE 19850-5298
 14705749 +Citibank / The Home Depot, Centralized Bankruptcy, Po Box 790040, S Louis, MO 63179-0040
 14416305 Citibank, N.A., c/o Quantum3 Group LLC, PO Box 280, Kirkland, WA 98083-0280
 14416306 +Citicards Chna, PO Box 6241, Sioux Falls, SD 57117-6241
 14416307 +Comenity Bank / Peebles, Attn: Bankruptcy, Po Box 182125, Columbus, OH 43218-2125
 14416311 +Commonwealth Financial Systems, 245 Main Street, Dickson City, PA 18519-1641
 ++FORD MOTOR CREDIT COMPANY, P O BOX 62180, COLORADO SPRINGS CO 80962-2180
 (address filed with court: Ford Credit, National Bankruptcy Service Center, PO Box 62180, Colorado Springs, CO 80962)
 14416310 +First National Bank, Attn: FNN Legal Dept, 1620 Dodge Street, Mailcode Stop 3290, Omaha, NE 68102-1593
 14420221 +First National Bank of Omaha, 1620 Dodge St., Stop Code 3105, Omaha, NE 68197-0002
 14631720 +Meadville Area Sewer Authority, A Municipal Authority, 1320 Park Avenue, Meadville, PA 16335-3114
 14644628 ++NATIONSTAR MORTGAGE LLC, PO BOX 619096, DALLAS TX 75261-9096
 (address filed with court: Nationstar Mortgage LLC, PO Box 619096, Dallas, TX 75261-9741)
 14416312 +Nationstar Mortgage LLC, 8950 Cypress Waters Boulevard, Coppell, TX 75019-4620
 14753789 Nissan Motor Acceptance, POB 660366, Dallas, TX 75266-0366
 14416313 +Nissan Motor Acceptance, Po Box 660360, Dallas, TX 75266-0360
 14416314 +PA Liberty St Emergency Physicians LLC, 751 Liberty Street, Meadville, PA 16335-2559
 14707873 +Penelec, c/o FirstEnergy, Building #1, Suite 1-511, 101 Crawford's Corner, Holmdel, NJ 07733-1976
 14416315 +Shapiro & DeNardo LLC, 3600 Horizon Drive, Suite 150, King of Prussia, PA 19406-4702
 14416318 ++TOYOTA MOTOR CREDIT CORPORATION, PO BOX 8026, CEDAR RAPIDS IA 52408-8026
 (address filed with court: Toyota Motor Credit Corporation, Po Box 8026, Cedar Rapids, IA 52408)
 14637676 +Toyota Motor Credit Corporation (See 410), PO Box 9013, Addison, Texas 75001-9013
 14416319 +Trident Asset Management, Attn: Bankruptcy, Po Box 888424, Atlanta, GA 30356-0424

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14416302 +E-mail/Text: bkr@cardworks.com Mar 16 2018 01:40:20 Cardworks / CW Nexus, Attn: Bankruptcy, Po Box 9201, Old Bethpage, NY 11804-9001
 14631719 +E-mail/Text: rkiser@co.crawford.pa.us Mar 16 2018 01:40:50 Crawford County Tax Claim Bureau, 903 Diamond Park, Meadville, PA 16335-2694
 14638931 E-mail/Text: mrdiscen@discover.com Mar 16 2018 01:40:21 Discover Bank, Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 14416308 +E-mail/Text: mrdiscen@discover.com Mar 16 2018 01:40:21 Discover Financial, Po Box 3025, New Albany, OH 43054-3025
 14416309 +E-mail/Text: bankruptcy@firstenergycorp.com Mar 16 2018 01:40:48 First Energy, Revenue Assurance, 1310 Fairmont Avenue, Fairmont, WV 26554-3526
 14705303 E-mail/PDF: resurgentbknofications@resurgent.com Mar 16 2018 01:43:44 LVNV Funding, LLC its successors and assigns as, assignee of NCOP Capital II, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 14676952 E-mail/PDF: resurgentbknofications@resurgent.com Mar 16 2018 01:43:55 LVNV Funding, LLC its successors and assigns as, assignee of Citibank, N.A., Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 14676689 E-mail/Text: bkr@cardworks.com Mar 16 2018 01:40:20 MERRICK BANK, Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368
 14696905 +E-mail/Text: bankruptcydpt@mcmcg.com Mar 16 2018 01:40:42 MIDLAND FUNDING LLC, PO Box 2011, Warren, MI 48090-2011
 14416757 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Mar 16 2018 01:37:07 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 14638419 +E-mail/Text: RVSVCBICNOTICE1@state.pa.us Mar 16 2018 01:40:37 Pennsylvania Department of Revenue, Bankruptcy Division PO BOX 280946, Harrisburg, PA 17128-0946
 14416316 +E-mail/PDF: gecsed@recoverycorp.com Mar 16 2018 01:36:34 Synchrony Bank / TJ MaxX, Attn: Bankruptcy, Po Box 956060, Orlando, FL 32896-0001
 14416317 +E-mail/PDF: gecsed@recoverycorp.com Mar 16 2018 01:37:09 Synchrony Bank / Walmart, Attn: Bankruptcy, Po Box 956060, Orlando, FL 32896-0001

TOTAL: 13

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Toyota Motor Credit Corporation
 cr* +Nationstar Mortgage LLC, 8950 Cypress Waters Blvd, Coppell, TX 75019-4620
 cr* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

TOTALS: 1, * 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

District/off: 0315-1

User: lmar
Form ID: 149

Page 2 of 2
Total Noticed: 37

Date Rcvd: Mar 15, 2018

***** BYPASSED RECIPIENTS (continued) *****

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 17, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 15, 2018 at the address(es) listed below:

Daniel P. Foster on behalf of Debtor Chi K. Ting dan@mrdebtbuster.com,
clarissa@mrdebtbuster.com; fosterlaw@ecf.inforuptcy.com; anne@ecf.inforuptcy.com
James Warmbrodt on behalf of Creditor Toyota Motor Credit Corporation bkgroup@kmlawgroup.com
Kevin Scott Frankel on behalf of Creditor Nationstar Mortgage LLC pak@logs.com
Office of the United States Trustee ustpre03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 5